

CITY OF MINNEAPOLIS
LICENSES AND CONSUMER SERVICES
350 SOUTH 5TH STREET, ROOM 1-C, CITY HALL
MINNEAPOLIS, MN 55415

**FINDINGS OF FACT
CONCLUSIONS, AND
RECOMMENDATIONS**

In the Matter of License No. L149 50567 SLICE OF CHICAGO
for FOOD MANUFACTURER

Held by:
**SLICE OF CHICAGO
NIDAL MUSTAFA
1600 WEST BROADWAY
MINNEAPOLIS, MN 55411**

10-0752025

This matter came before a License Settlement Conference hearing on Wednesday, March 17, 2010. Appearing for the licensee was Nidal Mustafa, owner of Slice of Chicago and his attorney, Jeffrey Dobberpuhl. Appearing for Licenses and Consumer Services were Deputy Director Ricardo Cervantes, District Supervisor Linda Roberts, and License Inspector Dan Jacobs. Based on the evidence presented at the hearing, the department makes the following findings of fact.

FINDINGS OF FACT

1. Slice of Chicago has been licensed to conduct business in the City of Minneapolis since February 28, 2007.
2. On October 14, 2008 a License Settlement Conference was held concerning police calls for service, loitering, failure to pay false alarm fines, being open past the legal hours of operation, graffiti, litter, and dumpster violations. Business license operating conditions were signed following this hearing.
3. From March 15, 2006, Environmental Health Code Inspectors documented the following violations of the Health Codes as follows:
 - a. 3-15-06. 5 critical and 11 regular violations of the Health Codes (Nidal Mustafa present)
 - b. 4-3-06 2 critical and 4 regular violations of the Health Codes (Nidal Mustafa

- present)
- c. 2-27-07 4 critical and 12 regular violations of the Health Codes (Nidal Mustafa as new owner)
 - d. 2-7-08 6 critical and 1 regular violations of the Health Codes
 - e. 2-7-08 \$200.00 citation issued for violations of the Health Codes, person in charge not properly trained and not demonstrating knowledge
 - f. 2-2-08 2 regular violations of the Health Codes
 - g. 7-30-08 \$200.00 citation issued for violation of the Health Codes, no towels at either hand sink or bath room
 - h. 3-30-09 3 critical and 14 regular violations of the Health Codes
 - i. 3-30-09 \$600.00 citation issued for violations of the Health Codes, no food thermometer on site, wiping cloth bucket not set up, no chlorine on site, no chlorine test kit on site- all repeat violations
4. On August 3, 2009, a second License Settlement Conference was held to discuss Police incidents on the premises that were alleged to violate their business license operating conditions. Prior to the hearing, Environmental Health contacted Licenses concerning numerous violations of the Health Codes dating from 2006 to the present. After the License Settlement Conference the Business License management staff determined that the level of violations reached the point to consider a recommendation to revoke the business license. The owner of the Slice of Chicago initially requested a hearing before an Administrative Law Judge but later reconsidered and decided to surrender this business license with stipulations.

CONCLUSIONS

Slice of Chicago failed to comply with Environment Health codes in Title 10 of the Minneapolis Code of Ordinances.

RECOMMENDATIONS

1. Nidal Mustafa, as sole proprietor of Slice of Chicago, agrees that his Food Manufacturer license at 1600 West Broadway is hereby withdrawn and the license certificate surrendered effective midnight July 31, 2010. Mr. Mustafa will pay two quarters of his 2010 license fee and submit a fully executed withdrawal request form in a good faith effort to comply with this agreement. Mr. Mustafa understands that if he does not close his business on the agreed upon date and time, the business will be deemed unlicensed and the City of Minneapolis will proceed with all available legal remedies, including but not limited to the immediate placarding and closure of the business.
2. Mr. Mustafa understands that this agreement is in lieu of an adverse license hearing before an Administrative Law Judge and the Minneapolis City Council.
3. Mr. Mustafa understands that the business operating conditions are in effect for the entire duration of his license. He agrees that he will comply with Minneapolis Code of Ordinances 259.250(4), "It shall be the responsibility of the licensee to provide adequate security to prevent criminal activity, loitering, lurking and disorderly conduct on the

business premises, including parking areas.” Further documented violations of the business license operating conditions or MCO 259.250(4) will result in an immediate scheduling of an adverse license hearing at the Minneapolis City Council and could result in the revocation of his business license.

4. Mr. Mustafa understands that the citation 09-0736607 will be considered for continuance of dismissal provided there are no same or similar violations prior to the surrender of his business license.

Slice Of Chicago understands that the holding of a business or liquor license in the City of Minneapolis is both a privilege and a responsibility, and, as such, it is understood that there is a minimum standard that shall be met in order to hold such a license. Furthermore, it is understood that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances and regulations. As such, it is understood and agreed that any violation of the above Recommendations shall constitute just and proper cause for the immediate imposition of any agreed upon or stayed penalties. It is further understood that compliance with the above Recommendations is a requirement for continuing to hold a license and that failure to comply with any of these conditions may result in additional adverse license action.

I have read and understand the above findings of fact, conclusions, and recommendations. I agree with their contents and I agree with the above noted Recommendations. I understand that the failure of my business to adhere to this agreement may be cause for further suspension, revocation, or denial of my license. I understand that this report must be accepted and approved by the Minneapolis City Council and Mayor.

Based upon the foregoing, this agreement is FREELY & VOLUNTARILY ENTERED INTO IN GOOD FAITH:

Business

Slice of Chicago
By: [Signature]
(signature)

Its: owner
(title)

Dated: May 3, 2010

For the City of Minneapolis:

[Signature]
Ricardo Cervantes
Deputy Director of Licenses

Dated: May 14, 2010

**APPLICATION FOR
WITHDRAWAL/REFUND OF LICENSE FEE**

Date: April 27, 2010

Official Name of License Applicant: Slice of Chicago

Doing business as (DBA): Slice of Chicago

Address of Business: 1600 West Broadway

Type of License: Food Manufacturer

Amount of Refund Claimed: 0

Reason for Withdrawal/Refund Request: Withdrawal effective midnight July 31, 2010 per License

Settlement Conference Agreement

License Applicant's Signature: _____

Name (Printed): _____

Mailing Address: _____

DEPARTMENT REPORT

License Number: L 149 50567

Amount of Fee Paid: \$187.20

Date of Fee Paid: 5-13-10

Amount of Refund Granted: 0

Remarks: Licensee has agreed to withdraw License in lieu of an Administrative Law Judge hearing.

License Inspector: _____

Date: _____

Director: _____

Date: _____

Revenue Code _____

Rev 9/04